Conference on Disarmament

English

Final record of the one thousand three hundred and sixty-second plenary meeting
Held at the Palais des Nations, Geneva, on Tuesday, 11 August 2015, at 10.10 a.m.

President: Mr. Henk Cor van der Kwast ..... (Netherlands)

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The President: I call to order the 1362nd plenary meeting of the Conference on Disarmament.

I am very well aware that, like myself, you are torn a little bit between the Conference on Disarmament meeting, on the one hand, and the Biological Weapons Convention meeting, on the other. Let us therefore have a short formal meeting today, to be followed by an informal session on gender and disarmament; for the afternoon, we will not have a session.

The first thing on the agenda is the request by the Kyrgyz Republic to participate as an observer State. In that regard, I am pleased to inform you that the Kyrgyz Republic has requested to participate in the work of the Conference on Disarmament as a non-member State. Are there any comments or objections to this request? Would any delegation like to take the floor on this subject?

That is not the case. Then if there is no objection, may I take it that the Conference agrees to the request from the Kyrgyz Republic?

It was so decided.

The President: I am pleased to invite the Kyrgyz Republic to participate in the work of the Conference and its subsidiary bodies as a non-member in 2015.

Would any delegation like to take the floor? That does not seem to be the case. I will then make an announcement concerning documents. You will have noted the following documents that were issued: first, document CD/2026, containing a letter dated 30 June 2015 from the Permanent Representative of New Zealand addressed to the Secretary-General of the Conference and transmitting the text of a paper entitled "Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons"; it was submitted on behalf of the New Agenda Coalition to the 2015 Review Conference of the Parties to the Non-Proliferation Treaty. Secondly, document CD/2027, submitted by Australia, contains a working paper entitled "Protection of sensitive information under FMCT verification". The next document (CD/2028), also submitted by Australia, is a working paper entitled "Fissile material types potentially relevant to FMCT verification". The next document is document CD/2029, entitled "Appointment of the Secretary-General of the Conference on Disarmament". We knew already that you had been appointed, Mr. Møller, but now we have all the formal documents and are quite happy to have you with us today. All those documents are available online and they have also been placed by the secretariat in your pigeonholes.

The next point on our agenda is the discussion of the report by the Co-Chair of the informal working group on a programme of work. In accordance with the decision for the re-establishment of an informal working group adopted at the 1354th plenary meeting on 5 June and contained in document CD/2022, Ambassador Päivi Kairamo of Finland, Co-Chair of the informal working group, submitted to me her final report on 7 August. This report was shared with the member States and observers in the Conference on the same day. In accordance with paragraph 6 of the decision, for your consideration and initial discussion, I would like to invite Ms. Titta Maja, representative of Finland, to take the floor and to present to us the report on behalf of Ambassador Kairamo. You have the floor, Madam.

Ms. Maja (Finland): I offer sincere apologies on behalf of my Ambassador, who is not currently in Geneva and has asked me, as her deputy, to present the report on her behalf.

It is my honour, on behalf of Ambassador Kairamo, the Co-Chair of the informal working group of the Conference on Disarmament established under the decision contained in document CD/2022 of 10 June 2015, to report to you on the work of the informal working group and on the related informal consultations held in 2015.

Ambassador Kairamo, pursuant to paragraph 5 of that decision and upon the agreement of the respective Presidents of the Conference, Ambassador Maung Wai and Ambassador Henk Cor van der Kwast, conducted consultations on a programme of work, exploring possibilities for a negotiating mandate for any of the agenda items. To this end, she convened two open sessions which were attended by Conference members and observers. These meetings were held on 19 June 2015 and on 3 July 2015. Delegations participated actively in the deliberations, which provided a rich exchange of views and proposals that highlighted the importance of the Conference as the single multilateral negotiating forum.

My Ambassador's consultations, which she carried out in her capacity as Co-Chair, started immediately after the adoption of the decision contained in document CD/2022 on 10 June 2015, and finished for practical reasons before the beginning of August 2015. She recognized the challenges, including the very, very limited time period that she would face while undertaking her consultations. After several bilateral, regional and informal working group consultations, it became clear that at this stage a consensus could not be reached to take forward a programme of work in relation to any of the four core issues or any other agenda item. However, during her consultations, several forward-looking and potentially very helpful ideas and proposals were presented by delegations, and some of them were discussed at the meetings of the informal working group. She is most grateful to delegations for their activity and genuine attempts to seek means to work on the impasse.

Her conclusions on the basis of the consultations include, but are not limited to, the following points. The focus on the core agenda items should remain as a priority in order to find a consensus formula for a comprehensive and balanced programme of work. Should a consensus emerge on any possible new items, the current agenda is flexible enough for the Conference to deal with any such item. The primary objective of the Conference is to negotiate legally binding instruments, which should remain as the primary objective. Also, politically binding agreements, as well as other proposals, could be considered possibly as a means or a stepping stone towards legally binding agreements. The Conference, if agreed, could continue to consider holding structured in-depth deliberations, with greater specificity and allocation of time on agenda items, including through the participation of scientific and technical experts on specific topics, to enhance understanding and common ground beneficial for future negotiations that the Conference could undertake. It would seem to be helpful to continue to explore further how to take forward the above-mentioned and other ideas in a structured and inclusive manner.

The President: Thank you, Ms. Maja. According to the decision contained in document CD/2022, we have to consider and adopt a report. I would, however, like to first ask at this meeting for comments from your side; and then later, at another meeting, we will put it on the agenda for action. The floor is open now for comments. I recognize Ambassador Varma of India and then Ambassador Wood of the United States.

Mr. Varma (India): Mr. President, let me convey how pleased we are with the manner in which you have been guiding our work during your presidency.

Last week marked the seventieth anniversary of the atomic bombings of Hiroshima and Nagasaki, which were referred to by the Ambassador of Japan in his statement in the plenary of the Conference last week. Paying homage to those who lost their lives, Prime Minister Narendra Modi of India said that these bombings remind us of the horrors of war and their effect on humanity. Members of the Indian Parliament observed a minute of silence on 6 August to mark this solemn occasion of remembrance and reaffirm their resolve for peace and prosperity throughout the world.

Mr. President, let me turn to the topic that you have identified for us to speak on this morning, namely the report of the Co-Chair of the informal working group which you very

kindly circulated via your letter of 7 August. We would firstly like to convey our very deep appreciation to Ambassador Kairamo of Finland and the Finnish delegation for the work that they have undertaken, including very diligent consultations held bilaterally with regional groups and the two informal occasions where the Conference as a whole had an occasion to gather in-depth views on the issues addressed as part of the mandate of the informal working group.

We have seen the report of the Co-Chair. We are in a position to support the report and extend our appreciation to the Co-Chair for drafting the report for the consideration of the Conference, which reflects, in a very large measure, the points that were put forward. From the point of view of India, the Conference on Disarmament remains the world's single multilateral disarmament negotiating forum whose primary mandate is the negotiation of legally binding instruments. Therefore, we maintain that the first priority of the Conference is to adopt the programme of work by consensus, and that should still continue to be the priority of future Presidents, including the presidencies that come in at the beginning of the next annual session. Should there be continuing difficulty on the adoption of a comprehensive and balanced programme of work by consensus, of course we do have the option of having structured informal discussions as we have had this year and in previous years.

The value of the Co-Chair's report is in indicating the manner in which, should it be necessary and should there be agreement in the Conference, structured informal discussions can be made more meaningful, and we should never lose sight of the fact that, should there be politically binding agreements or structured informal discussions, the aim should continue to be to facilitate the commencement of negotiations, which is the main vocation of this Conference. Having said that, it is our position, and we have said it in the past, that the agenda item on negotiation of a treaty banning the production of fissile material for nuclear weapons and other explosive devices is ready for negotiations as far as India is concerned. We could make further progress in enhancing and deepening discussions on other priority agenda items, including the agenda item on nuclear disarmament, which remains a priority for a very large number of delegations in this Conference. We hope that the Co-Chair's report will form the basis of a decision adopted by consensus by the Conference after you have completed the process of seeking views of member States.

The President: I give the floor to Mr. Wood.

Mr. Wood (United States of America): I will be very brief. I just wanted to express my delegation's thanks to Ambassador Kairamo and the Finnish delegation for their efforts to try to draw up a programme of work, and we are very appreciative of the work they have done to produce a report. Of course, trying to produce a programme of work is not an easy task in this body, given the Conference's inability for quite some time to be able to produce a programme of work. However, I do believe that Ambassador Kairamo's consultations will be useful in the overall effort to try to get this august body back to work.

The President: I now give the floor to Mr. Shen Jian from China.

Mr. Shen Jian (China) (*spoke in Chinese*): I wish to thank Ms. Maja, who has spoken on behalf of Ambassador Kairamo, Co-Chair of the informal working group, for the report on the work done by the working group this year.

Notwithstanding the fact that the working group was not able to reach a consensus on a programme of work for the Conference during this session, the Chinese delegation would like to commend the tireless efforts of the Co-Chair and the Finnish delegation to give an impetus to the working group so that it could move ahead in its activities.

The report of the Co-Chair offers a rather comprehensive view of the work done by the working group. In the report, the conclusions put forward by the Co-Chair quite

objectively reflect a number of views and suggestions put forward by all sides during the group's meetings, including the views expressed by the Chinese delegation on 19 June and 4 July and its suggestions that the Conference should address the subject of the emerging international security and arms control situation; should negotiate political instruments on urgent questions in the fields of international arms control and disarmament; and should make suggestions for systematic and substantive discussions relating to each of the topics under discussion. The report and its conclusions establish a firm basis for member States to continue conferring in order to set out a comprehensive and balanced programme of work acceptable to all and to break the deadlock at the Conference.

China is committed to ensuring that the Conference resumes substantive work as soon as possible. It will work with all parties in support of the conclusions of the Co-Chair's report in an open, flexible and pragmatic spirit, making full use of creativity, continuing to actively seek out any practical approaches and making efforts to revitalize the Conference's work.

The President: The next speaker on my list is Mexico. You have the floor, Madam.

Ms. Ramírez Valenzuela (Mexico) (*spoke in Spanish*): I am taking the floor briefly to say that the Mexican delegation reserves the right to insist that its position with regard to the informal working group be reflected in the discussion of the 2015 annual report of the Conference on Disarmament.

The President: I now give the floor to the delegate of Russia, Mr. Andrey Malov.

Mr. Malov (Russian Federation) (*spoke in Russian*): We would like at the outset to thank our Finnish colleagues for the considerable amount of work done. This was a challenging task.

We believe that the report presents the situation of the programme of work of the Conference actually before us in a balanced manner. All the major issues are objectively reflected, as is the fact that the informal working group could not reach consensus on any particular item on the agenda.

At the same time, in our view, new elements are reflected in a manner that is sufficiently objective as to allow us to make our work more focused. This involves serious substantive work in the Conference on Disarmament on politically binding instruments and a structured discussion with the participation of experts from capitals. As we see it, these new elements are objectively reflected and sufficiently significant.

It appears that much good work has been done. I would like once again to thank our Finnish partners for the report. We will support it.

The President: The next speaker on my list is Ambassador Akram of Pakistan. You have the floor, Sir.

Mr. Akram (Pakistan): I have taken the floor, as the previous speakers, to express our appreciation to the Ambassador of Finland and her colleagues for the report as well as for the consultations that they have carried out and the report based on those consultations.

We, from the very beginning, appreciated that the task that the Ambassador of Finland had undertaken is an extremely difficult one, and perhaps even a thankless one. But she has conducted her duties, her responsibilities, in an admirable manner, which we highly appreciate. We also would like to express our agreement with the conclusions that she has presented in her report, and we particularly support the idea mentioned in paragraph 6 (b) that, should a consensus emerge on any possible new items, the current Conference agenda is flexible enough for binding instruments, which should remain a priority.

So we agree with her view that if, and as is clear already, there is no consensus on the existing agenda items for a negotiation on any of them, we should also look at any new items on which negotiations can be possible, and that we should not remain mired in the existing agenda itself, because we think that the Conference should be flexible enough to accommodate any new ideas, if negotiations are possible on the basis of consensus. It is not a surprise for us that we have not come up with any concrete, specific recommendations in this report for negotiating any item on our agenda; it is very clear that due to the security concerns of States, consensus has not been possible for negotiations on any agenda item. That does not mean that we should remain in a state of freeze. We have, part of this year and also last year, engaged in very substantive and meaningful discussions which, at least to my delegation, have been very useful. Such discussions can also be expanded and a more specific effort can be made by involving scientific and technical experts, which has also been proposed by the Ambassador of Finland in her report, and we fully support that view.

Speaking for my own country, in our view the issue on which consensus should be the easiest to achieve is on negotiating negative security assurances. We say this because, in our estimation, negative security assurances do not undermine or challenge the security interests of any State. Moreover, all nuclear-weapon States have, in one form or another, already given unilateral — and in some cases multilateral — assurances against the use of nuclear weapons against States that do not possess nuclear weapons. We feel that the ground already exists, therefore, to make progress on this very specific issue and even negotiate an internationally binding instrument on this issue. I hope that the deliberations of this Conference next year and in the future will move in that direction.

The President: I now recognize Ambassador Schmid of Switzerland.

Mr. Schmid (Switzerland) (*spoke in French*): Mr. President, as this is the first time I have taken the floor under your presidency, I wish to begin by congratulating you on the way you are leading our work and assure you of the full support of the Swiss delegation in carrying out this task.

I also wish to express my thanks to the Ambassador of Finland, Ms. Päivi Kairamo, for accepting the difficult task of chairing the informal working group on the programme of work and for the manner in which she has performed this duty, particularly as the short time available to fulfil the mandate has without doubt been a major challenge.

We welcome the report on the work of the informal working group that has been submitted to the Conference. We find the conclusions particularly relevant and interesting because they reflect a number of ideas that were highlighted during the exchanges and are important suggestions for the 2016 session of the Conference. These have to do with possible ways of making progress on the four core issues of the agenda in the absence of a programme of work. They also relate to the idea of initiating work on topics other than the four core issues or on a politically binding document in order to take advantage of the expertise within the Conference and build up positive momentum.

We will have to keep these various elements in mind when we return to this matter at the 2016 session of the Conference.

The President (*spoke in French*): Thank you for your kind words. I now give the floor to the representative of Belarus.

Mr. Grinevich (Belarus) (*spoke in Russian*): Mr. President, as this is the first time we have taken the floor under your presidency, we would like to offer our warm congratulations to you on your assumption of the presidency of the Conference on Disarmament. You may count on my delegation's full support as you carry out your mandate.

We wish to join previous delegations in expressing our deep gratitude to Ambassador Päivi Kairamo and her team for their excellent work and agree that this work was done under tremendous time pressures.

We fully endorse the report on the work of the informal working group and we wholly agree with the assessment that Ms. Kairamo sought a new way of adopting a programme of work that went beyond the so-called core issues on the agenda of the Conference on Disarmament, and that course of action is very promising.

We urge delegations to re-establish, as early as possible in the 2016 session, the informal working group on the programme of work and to continue work in that direction. In our view, the early establishment of such a body could facilitate the adoption of an agreed substantive programme of work and the resumption of negotiations at the Conference on Disarmament.

The President: I now recognize New Zealand. Ms. Donnelly, you have the floor.

Ms. Donnelly (New Zealand): At the outset, please allow me to thank Ambassador Kairamo and the delegation of Finland for their work in undertaking consultations on the programme of work and then preparing the report we now have on the informal working group. We deeply appreciate the very difficult nature of this task.

It is clear to us from the report that the Co-Chair has extracted as much as possible from the discussions in the hope that this might trigger some way out of the impasse in which we remain.

New Zealand can of course support the report, and we are grateful for the careful drafting by the Co-Chair to reflect the differing views that exist regarding the value and prospects of the process itself.

I would wish to reiterate the view of New Zealand that the role of the Conference is to negotiate legally binding agreements and not to engage in endless discussions and deliberations or in the negotiation of politically binding agreements. We have other bodies in the international disarmament machinery that can undertake this work. We would not want the fact that these proposals have been suggested in the report of an informal working group focused on getting to a programme of work to reflect or legitimize a lowering of expectations that this body will agree such a programme and get to negotiation as a matter of urgency. We would also not want support for the report to be seen as endorsement of ongoing discussions on the value of discussions as a possible precursor to eventual negotiations.

The President (*spoke in French*): I now give the floor to the representative of France, Mr. Riquet.

Mr. Riquet (France) (*spoke in French*): Very briefly, I would just like to add my voice to those of other speakers in congratulating Ambassador Päivi Kairamo and her team on the excellent work that has been carried out, particularly the intensive consultations that were conducted under considerable time pressure. France fully supports the excellent report Ambassador Kairamo has presented to us. This is something we have already said before. We also agree with the various conclusions that are presented in the report, and particularly with the idea that, in the event that a consensus were to emerge, other topics could be discussed in the Conference on Disarmament. We also agree with the proposition that we consider agreements that would not necessarily be legally binding but rather would be political in nature. We have said on a number of occasions that the line between discussions and negotiations is blurred, it is tenuous, and such discussions and agreements would perhaps allow us to progress towards the adoption of an agenda and a substantial programme of work after so many years of impasse.

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We, therefore, express once again the full support of the French delegation for Ambassador Kairamo's report.

The President (*spoke in French*): I thank you and I now give the floor to the Ambassador of Italy, Mr. Mati.

Mr. Mati (Italy): Allow me to join the previous speakers in expressing my gratitude as well to Ambassador Kairamo for her engagement in this not easy task, particularly considering, as underlined before, the very limited time she had to conduct the consultations. We appreciate very much her work and the efforts aimed at reaching common ground on the programme of work in order to help the Conference overcome its current difficulties.

I share the view that the report of the Co-Chair of the informal working group fully reflects our discussion, and I completely agree with the conclusion of the report. Therefore, as far as my delegation is concerned, I am ready to give my consensus to adopt the report as a good basis to continue our work in the future.

The President (*spoke in French*): I thank you and I now give the floor to the United Kingdom, Mr. Rowland.

Mr. Rowland (United Kingdom): I would like to add our voice to those who have thanked the delegation of Finland for all its work. The report has our support. We believe that the informal working group concept has shown itself to be complementary to the work of the individual presidencies in seeking a programme of work. Now, a number of delegations have stressed the limited time available to the Finnish Ambassador to take forward the work, and we hope that perhaps the group can be re-established earlier next year with a view to taking forward the discussions from the outset of our session.

The President: I believe that concludes the list of speakers. As that seems to be the case, I will close the debate here and would like to take action on this next Monday, 17 August, at 3 p.m. in this room. In view of the Biological Weapons Convention meeting, I think it is wise not to load any more meetings on this week. I therefore propose to hold a meeting on Monday at 3 p.m.

It was so decided.

The President: Are there any further points you would like to bring up at this formal meeting? That does not seem to be the case. I would like, then, to move to the informal meeting, which will be on gender and disarmament. Before moving to the informal meeting, I would like to give the technical staff some time to make the necessary arrangements. We will start five minutes from now.

I wish also to announce that the schedule-of-activities meeting will be next Thursday, 13 August, at 10 a.m., under the coordination of Ambassador Matthew Rowland of the United Kingdom. So, next Thursday we have a schedule-of-activities discussion on the prevention of an arms race in outer space.

We close now and will reopen in five minutes in an informal meeting.

The meeting rose at 10.50 a.m.